

Document No. 3675  
Voted at Meeting of 9/21/78

BOARD OF APPEAL REFERRALS

September 21, 1978

1.        Z-4220        Roxbury Rise Together House  
                         22 Algonquin Terrace, Dorchester
2.        Z-4223        Rose Berberian  
                         40 Brainerd Road, Allston
3.        Z-4224        James Magnasco  
                         1002-1004 Bennington Street, East Boston
4.        Z-4225        Myers Realty Co., Offices Unlimited Inc. (tenant)  
                         48 Canal Street, Boston
5.        Z-4232        Sons of God Apostolic Spiritual Baptist Church  
                         119 Blue Hill Avenue, Roxbury
6.        Z-4235        Peter McFarlane  
                         115 St. Botolph Street, Boston
7.        Z-4236        Richwood Trust, Honeywell Systems (Lessee)  
                         40 Guest Street, Brighton
8.        Z-4241        Leon Searles  
                         31 Foster Street, Brighton
9.        Z-4242-4243      Carlo Calisi  
                         717-721 American Legion Highway, Roslindale
10.       Z-4246        The Provident Institution for Savings  
                         572 Freeport Street, Dorchester
11.       Z-4261-4262      Hyde Park Cooperative Bank  
                         1172 River Street and 5 Way Street, Hyde Park
12.       Z-4265        Joseph J. Tecce  
                         55-65 North Washington Street, Boston

## MEMORANDUM

September 21, 1078

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 10/10/78

Z-4220  
 Roxbury Rise Together House  
 22 Algonquin Street  
 Dorchester  
 Near Washington Street

2½ Story Structure

District(s):	apartment _____	general business _____	industrial _____
	residential R-.5 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: to change occupancy from two apartments and lodging house  
 to halfway house for alcoholics.

## Violation(s):

SectionRequiredProposed

9-2	A change in a nonconforming use requires Board of Appeal Hearing.		
14-2	Lot area is insufficient.	32,000 SF	4782 SF

Site is inappropriate for proposed alcoholic halfway house facility. On-street parking problem would be intensified. In a recent newspaper article the Executive Director of the Mass. Association of Alcoholism Recovery Houses stated "he foresaw no additional need for new halfway programs for alcoholics in the Boston area." There is extensive neighborhood opposition. Recommend denial.

VOTED: In reference to Petition No. Z-4220, brought by Roxbury Rise Together House, 22 Algonquin Street, Dorchester, for a change of occupancy from two apartments and lodging house to halfway house for alcoholics in a residential (R-.5) District, the Boston Redevelopment Authority recommends denial. Site is inappropriate for proposed alcoholic halfway house facility. On-street parking problem would be intensified. In a recent newspaper article, the Executive Director of the Mass. Association of Alcoholism Recovery Houses stated "he foresaw no additional need for new halfway programs for alcoholics in the Boston Area". There is extensive neighborhood opposition.





Z-4220

22 ALGONQUIN ST.

(DOR)



## Board of Appeal Referrals

Hearing: 9/26/78

Z-4223  
 Rose Berberian  
 40 Brainerd Road,  
 Allston  
 Near Commonwealth Avenue

2½ story frame structure

District(s): apartment H-1      general business \_\_\_\_\_ industrial \_\_\_\_\_  
                   residential \_\_\_\_\_      local business \_\_\_\_\_ waterfront \_\_\_\_\_  
                   single family \_\_\_\_\_      manufacturing \_\_\_\_\_

Purpose: Legalize occupancy - four apartments.

## Violation(s):

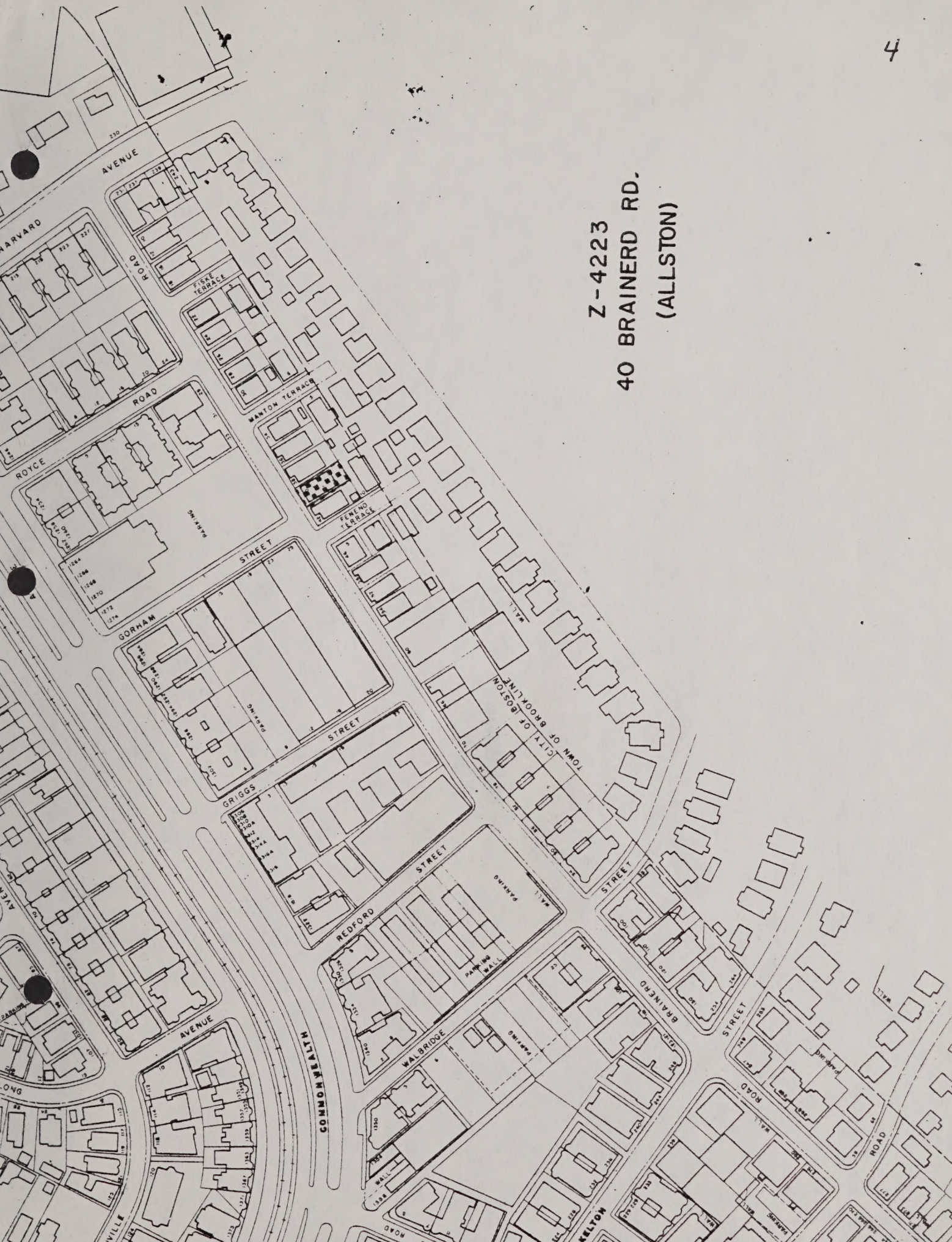
<u>Section</u>		<u>Required</u>	<u>Proposed</u>
8-7	Any dwelling converted for more families which does not meet the requirements of lot area, open space and off street parking is forbidden in an H-1 district.	8000 SF	3600SF
14-2	Lot area is insufficient.		
15-1	Floor area ratio is excessive.		
17-1	Open space is insufficient.		
23-1	Off street parking is insufficient.	3 spaces	0

Building is assessed as a three family dwelling. Problem of illegal conversions still exists in community. Structure is inappropriate for four units. Recommend denial.

VOTED: In reference to Petition No. Z-4223, brought by Rose Berberian, 40 Brainerd Road, Allston, for a forbidden use and four variances to legalize occupancy for four families in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Building is assessed as a three family dwelling. Problem of illegal conversions still exists in community. Structure is inappropriate for four units.



Z-4223  
40 BRAINERD RD.  
(ALLSTON)





Board of Appeal Referrals

Hearing: 9/26/78

Z-4224  
James Magnasco  
1002-1004 Bennington Street,  
East Boston  
Near Saratoga Street

Three story frame structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: to change occupancy from two apartments and restaurant-lounge to one apartment and restaurant-lounge.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
23-2 Off street parking is insufficient	8 spaces	0

Proposal will extend restaurant-lounge facility to second floor. Off street parking deficiency would further aggravate existing traffic problem. Recommend denial.

VOTED: In reference to Petition No. Z-4224, brought by James Magnasco, 1002-1004 Bennington Street, East Boston, for a variance for a change of occupancy from two apartments and restaurant-lounge to one apartment and restaurant-lounge in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Off street parking deficiency would further aggravate existing traffic problem.





Z-4224  
1002-1004 BENNINGTON ST.  
(E.B.)

STREET

BENNINGTON

SARATOGA

BREED STREET

BOARDMAN STREET

FORD

HITBY STREET

AVENUE

BARNES

THURS

BAYSWATER

BENNINGTON

ORIENT

M.B.T.T.A.

M.B.T.T.A.

WALL

WALL

STREET

WALL

PARKING

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101,235

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987 989 991 993 995 997

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## Board of Appeal Referrals

Hearing: 9/26/78

Z-4225

Myers Realty Co.

Offices Unlimited Inc. (tenant)

48 Canal Street, Boston

At Haymarket Square

Six story structure

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
 residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
 single family \_\_\_\_\_ manufacturing M-4

Purpose: Erect 4' x 6' double faced projecting sign.

## Violation(s):

SectionRequiredProposed

11-2

Sign attached at right angles to a  
 building is not allowed if use which  
 sign will advertise does not occupy  
 at least eighteen feet of sign frontage.

Sign would advertise office furnishings near building entrance.  
 Firm already has large flat signs below roof level. Proposal as  
 submitted is excessive and will create an unwanted precedent.  
 Removal of existing signage would make petition acceptable.  
Recommended denial as submitted.

## VOTED:

In reference to Petition No. Z-4225, brought by  
 Myers Realty Co. and Offices Unlimited, Inc.,  
 48 Canal Street, Boston, for a conditional use  
 to erect a double faced projecting sign in a  
 manufacturing (M-4) district, the Boston  
 Redevelopment Authority recommends denial as  
 submitted. Proposal is excessive and will create  
 an unwanted precedent. Removal of existing signage  
 near roof level would make petition acceptable.







Board of Appeal Referrals

Hearing: 10/3/78

Z-4232

Sons of God Apostolic Spiritual  
Baptist Church  
119 Blue Hill Avenue, Roxbury  
Near Alaska Street

Three story structure

District(s):	apartment <u>H-1</u>	general business <u>      </u>	industrial <u>      </u>
	residential <u>      </u>	local business <u>L-1</u>	waterfront <u>      </u>
	single family <u>      </u>		manufacturing <u>      </u>

Purpose: To change occupancy from three family dwelling to Church.

Violation(s):

<u>Section</u>		<u>Required</u>	<u>Proposed</u>
23-2	Off street parking is insufficient.	10 spaces	0

Conversion is inappropriate. Neighborhood residents feel that change would have an adverse impact on already strained parking situation.

Recommend denial.

VOTED: In reference to Petition Z-4232, brought by Sons of God Apostolic Spiritual Church, 119 Blue Hill Avenue, Roxbury, for a variance for change of occupancy from three family dwelling to church in apartment (H-1) and local business (L-1) districts, the Boston Redevelopment Authority recommends denial. Conversion is inappropriate. Neighborhood residents feel that change would have an adverse impact on an already strained parking situation.





Z-4232

119 BLUE HILL AVENUE  
(ROX.)



Board of Appeal Referrals

Hearing: 10/10/78

Z-4235  
Peter McFarlane  
115 St. Botolph Street  
Boston,  
Near West Newton Street

Three story structure  
District(s): apartment H-2 general business industrial  
residential local business waterfront  
single family manufacturing

Purpose: to change occupancy from seven apartments to six apartments  
and travel agency.

Violation(s):

Section

Required

Proposed

8-7 Travel agency office is forbidden in an H-2 district.

Proposed travel agency would eliminate a needed housing unit in  
this residential area. Neighborhood association is opposed.

Recommend denial.

VOTED: In reference to Petition Z-4235, brought by  
Peter McFarlane, 115 St. Botolph Street, Boston,  
for a forbidden use for change of occupancy from  
seven apartments to six apartments and a travel  
agency in an apartment (H-2) district, the Boston  
Redevelopment Authority recommends denial. Proposed  
facility would eliminate a needed housing unit.  
Neighborhood association is opposed.





Z-4235  
115 ST BOTOLPH ST.  
(B.R.)



## Board of Appeal Referrals

Hearing: 10/3/78

Z-4236

Richwood Trust

Honeywell Information Systems (Lessee)

40 Guest Street, Brighton

Near Market Street

One story masonry structure

District(s): apartment\_\_\_\_\_

residential\_\_\_\_\_

single family\_\_\_\_\_

general business\_\_\_\_\_

local business\_\_\_\_\_

industrial I-2\_\_\_\_\_

waterfront\_\_\_\_\_

manufacturing\_\_\_\_\_

Purpose: to erect one story addition to warehouse and garage.

Violation(s):

SectionRequiredProposed

20-1

Rear yard is insufficient.

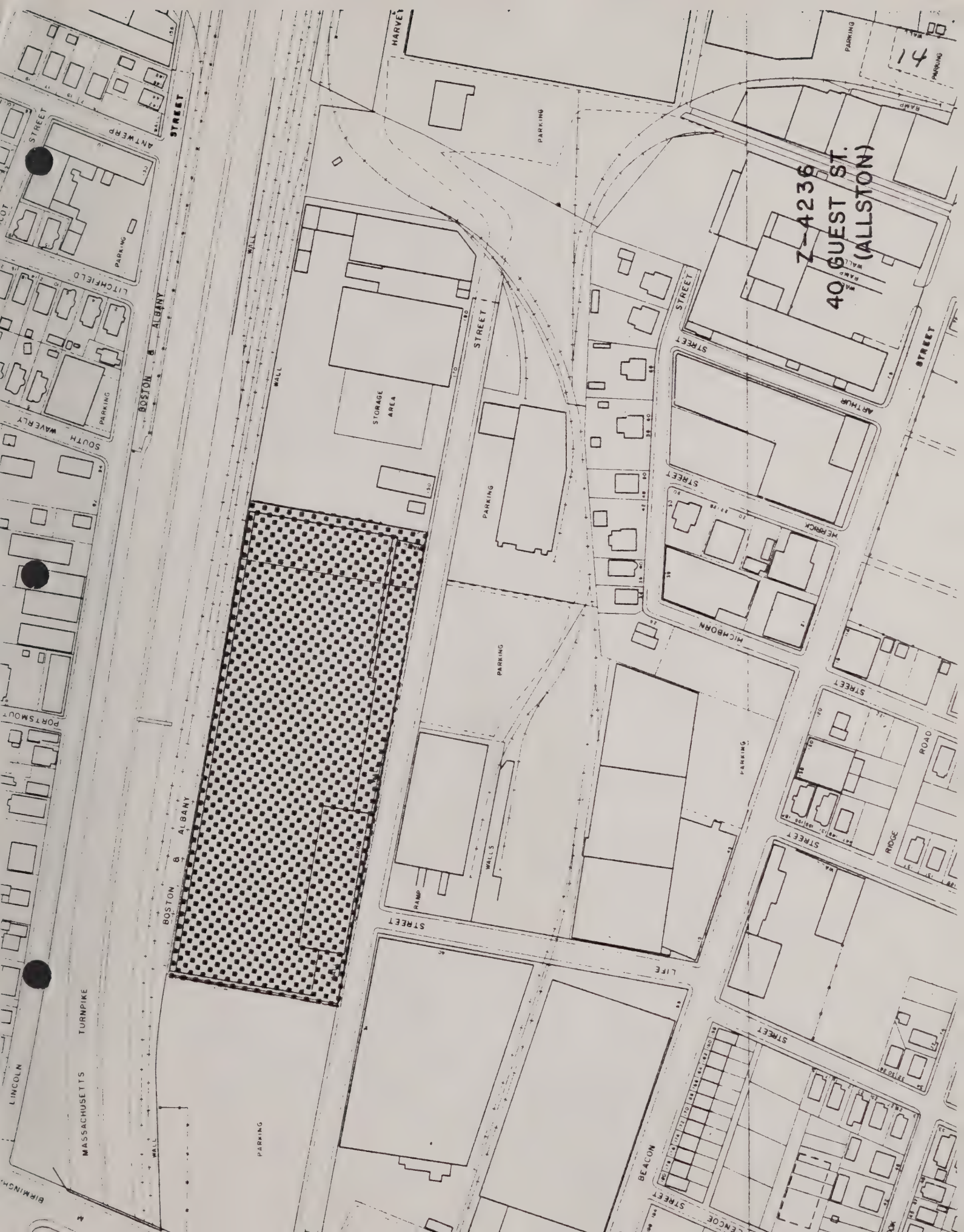
12 st.

0

Addition will enclose existing railroad dock. Rear yard violation will have no impact on this industrial area. Recommend approval.

VOTED: In reference to Petition No. Z-4236, brought by Richwood Trust and Honeywell Information Systems, 40 Guest Street, Brighton, for a variance to erect a one story addition to a warehouse and garage structure in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval. Violation will have no impact on this industrial area.





Z-4236  
40 GUEST ST.  
(ALLSTON)

14

ANTWERP STREET

LITCHFIELD STREET

WAVELEY STREET

PORTSMOUTH STREET

MASSACHUSETTS TURNPIKE

BIRMINGHAM STREET

BOSTON & ALBANY

BOSTON & ALBANY

STREET

WALL

STORAGE AREA

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Board of Appeal Referrals

Hearing: 10/10/78

Z-4241  
Leon Searles  
31 Foster Street, Brighton  
Near Washington Street

2½ story frame structure  
District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential R-5 \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: to change occupancy from three family dwelling to four apartments.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7 Any dwelling converted for more families which meets at least one half of the requirements for open space is conditional in an R-5 district.		
17-1 Open space is insufficient.	1000 SF	611 SF

Proposed occupancy is inappropriate, would overcrowd structure and is contrary to the low density residential nature of the neighborhood.  
Same petition was previously denied in 1976. Recommend denial.

VOTED: In reference to Petition No. Z-4241, brought by Leon Searles, 31 Foster Street, Brighton, for a conditional use for a change of occupancy from a three family dwelling to four apartments in a residential (R-5) district, the Boston Redevelopment Authority recommends denial. Proposed occupancy would overcrowd structure and is contrary to the low density residential nature of the neighborhood.





Z-4241  
31 FOSTER ST.  
(BRI.)



Board of Appeal Referrals

Hearing: 9/26/78

Z-4242 - 4243  
Carlo Calisi  
717-721 American Legion Highway  
Roslindale  
Near Mt. Hope Street

2½ story frame structure.

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family S-.5 \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: to change occupancy from one family dwelling, greenhouse,  
retail sales to cold storage area, greenhouse, retail sales,  
erect one story addition.

Violation(s):

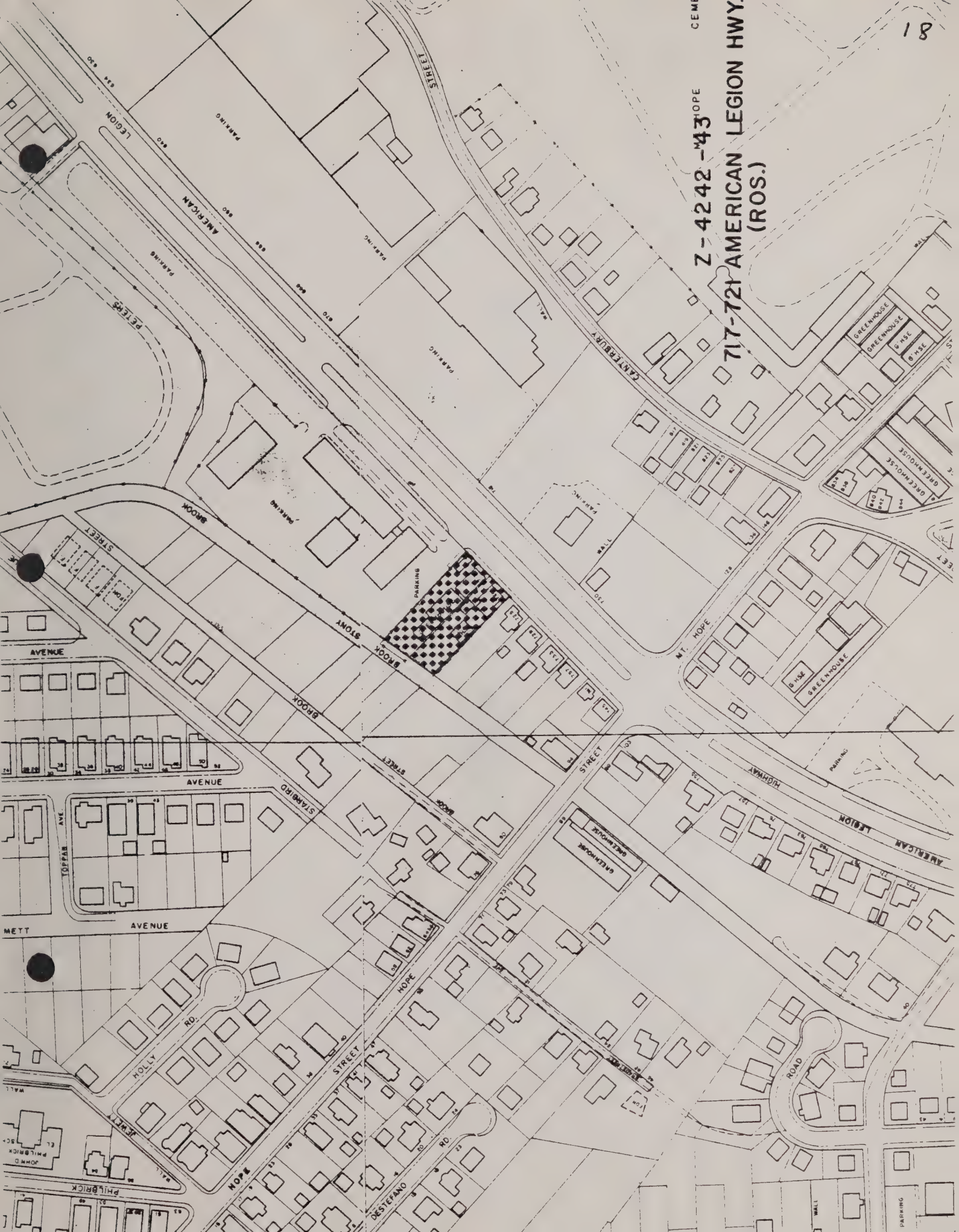
<u>Section</u>		<u>Required</u>	<u>Proposed</u>
8-7	Warehouse is forbidden in an S-.5 district.		
9-1	Extension of a nonconforming use requires Board of Appeal Hearing.		
19-1	Side yard is insufficient.	12 ft.	3 ft.

Area is mixed institutional-commercial-residential. Florist retail and nursery have existed for many years. Warehouse is cold storage area for plants and related materials. Side yard violation is technical and will not interfere with abutters. Recommend approval.

VOTED: In reference to Petitions Z-4242-4243, brought by Carlo Calisi, 717-721 American Legion Highway, Roslindale, for two forbidden uses, extension of a nonconforming use and a variance for a change of occupancy from one family dwelling, greenhouse, retail sales and erect a one story addition in a single family (S-.5) district, the Boston Redevelopment Authority recommend approval. Florist retail and nursery have existed for many years. Warehouse is cold storage area for plants and related materials. Side yard violation is technical and will not impact this mixed institutional-commercial-residential area.



Z-4242-43  
717-721 AMERICAN LEGION HWY  
(ROS.)





Board of Appeal Referrals

Hearing: 10/10/78

Z-4246

The Provident Institute for Savings  
572 Freeport Street, Dorchester  
At Morrissey Boulevard

One story masonry structure.

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential R-.8 \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: to erect free standing sign.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
11-1	Total number of signs proposed for site exceeds maximum allowed; size of proposed sign is excessive in a residential district.	

Free standing sign identifying branch bank office was inadvertently omitted from initial development project. Plan subsequently approved in design review process. Recommend approval.

VOTED: In reference to Petition Z-4246, brought by the Provident Institution for Savings, 572 Freeport Street, Dorchester, for a conditional use to erect a free standing sign in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Sign was inadvertently omitted from initial development project. Plan subsequently approved in design review process.





Z-4246  
572 FREEPORT ST.  
(DOR.)



## Board of Appeal Referrals

Hearing: 9/26/78

Z-4261 - 4262

Hyde Park Cooperative Bank  
 1172 River Street and 5 Way Street  
 Hyde Park

Two story masonry structure.

District(s):	apartment_____	general business <u>B-1</u>	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: to erect one story addition to bank structure; erect cover structure for remote drive-up facility.

## Violation(s):

SectionRequiredProposed

8-7 Drive-in bank is conditional in L-.5 and B-1 districts.

8-7 Ancillary use is conditional in a B-1 district.

Present vacant lot on Way Street will provide a remote drive-up facility and parking for bank customers. Addition will supply service for walk-up customers from parking area. Hyde Park Board of Trade and Little City Hall endorse proposal. Recommend approval with provisos.

VOTED: In reference to Petitions Z-4261-4262, brought by Hyde Park Cooperative Bank, 1172 River Street and 5 Way Street, Hyde Park, for two conditional uses to erect a one story addition to a bank and cover structure for remote drive-up facility in local business (L-.5) and general business (B-1) districts, the Boston Redevelopment Authority recommends approval with the following privisos: that ten foot buffer strip planted with trees be provided along eastern side of driveway to shield abutting properties; that direveway should be realigned to reflect increased eastern buffer; that left hand turns from lot to Fairmount Avenue be prohibited; that plans including landscaping and lighting be submitted to the Authority for design review.





Z-4261-62  
170 RIVER ST.  
5 WAY ST.  
(M.P.)



## Board of Appeal Referrals

Hearing: 10/3/78

Z-4265

Joseph J. Tecce

55-65 North Washington Street

Boston

Near Cooper Street

4½ story structure  
 District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
                   residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
                   single family \_\_\_\_\_ manufacturing M-2

Purpose: to change occupancy from restaurant and office to 16 apartments,  
 restaurant and offices.

## Violation(s):

SectionRequiredProposed

8-7 Multi-family dwelling is conditional in  
 an M-2 district.

Conversion to apartment units is consistent with adjacent residential  
 community which has no objections. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-4265, brought by  
 Joseph J. Tecce, 55-65 North Washington Street,  
 Boston, for a conditional use for change of occupancy  
 from restaurant and offices to 16 apartments,  
 restaurant and offices in a manufacturing (M-2)  
 district, the Boston Redevelopment Authority  
 recommends approval with the following provisos: that  
 parking and dumpster storage be prohibited on Lynn  
 Street, that petitioner purchase or lease space to  
 provide off street parking.





24

7-4265

55 NORTH WASHINGTON ST  
(B.P.)



